

The Gazette of India

EXTRAORDINARY PART I—Section 1 PUBLISHED BY AUTHORITY

No. 161] NEW DELHI, FRIDAY, SEPTEMBER 17, 1954

MINISTRY OF LABOUR RESOLUTION

New Delhi, the 17th September 1954

No. LR-100(56)/54.—By an order, dated the 24th August 1954, the Central Government made certain modifications in the Decision of the Appellate Tribunal, dated the 28th April 1954 in the appeals filed against the Award of the All India Industrial Tribunal (Bank Disputes), Bombay, on the industrial disputes between banking companies and their workmen. That decision, which had to be taken within the extended statutory time-limit of 120 days available for the purpose, was naturally based on the information then available to Government as to the probable effects of the Appellate Tribunal's Decision. The information available related to figures (verified by the Reserve Bank of India) about a certain number of banking companies of all classes selected as a representative sample for the purpose and certain unverified estimates in regard to the numbers of bank employees prejudicially affected by the Appellate Tribunal Decision. It is considered desirable to have the matter further investigated so as to enable Government to assess more fully the probable effects of the Appellate Tribunal's Decision and the effect of the modified Decision on the individual units of the banking sector to which it applies. Government have accordingly decided to institute a fact-finding enquiry and to entrust Shri Justice G. S. Rajadhyaksha, Judge, Bombay High Court, with it.

2. The terms of reference of Shri Justice Rajadhyaksha will be as follows:—

(1) to enquire into and ascertain the effects on the emoluments which the employees were in receipt of prior to August 1954,

(a) of the Appellate Tribunal Decision without modification,

(b) of the Appellate Tribunal Decision as modified by Government's Order No. S.R.O. 2732, dated the 24th August 1954,

(2) to ascertain

(a) the additional burden on individual banks that would have been caused by the Appellate Tribunal Decision over the expenses under the frozen Sen Award,

(b) the extent and amount of relief obtained by them as a result of the modifications made by Government,

(c) the additional expenditure now to be borne by banks under the modified decision over the expenditure incurred under the frozen Sen Award/that would have been incurred under the Sastry Award.

(3) to scrutinise the information already collected and to collect further information relevant to the consideration of these issues;

(4) to recommend, having regard to the facts ascertained and to the need for ensuring an equitable treatment to bank employees consistent with the capacity to pay of the various classes of banking companies or individual units,

- (a) whether the Appellate Tribunal Decision, as modified, should be continued,
- (b) whether the Appellate Tribunal Decision should be restored and if so, whether fully or in part,
- (c) whether the Appellate Tribunal Decision should be enforced with any other modifications considered necessary.

In considering this, due regard should also be paid to the desirability of avoiding widespread closures of banking companies or their branches, to the necessity to promote development of banking in the country generally and in rural areas in particular and to any possibilities of effecting economies in the expenses of banking companies.

(5) to consider and recommend what special facilities, if any, are necessary in the Decision in order to encourage the spread of banking facilities in the Class IV areas of Part 'B' States and Part 'C' States other than Delhi, Ajmer and Coorg.

K. N. SUBRAMANIAN, Joint Secy.